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Home Depot U.S.A., Inc.

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA**

Ivonne Carbajal, individually and
behalf of all others similarly
situated,

Plaintiff,

v.

Home Depot U.S.A., Inc.; and
Validity Inc.,

Defendants.

CASE NO. 2:24-cv-00730-DGC

**DEFENDANT HOME DEPOT
U.S.A., INC.'S NOTICE OF
SUPPLEMENTAL AUTHORITY**

1 Defendant Home Depot respectfully submits this Notice of
2 Supplemental Authority to alert the Court to the Arizona Superior Court of
3 Pima County's decision in *D'Hedouville v. H&M Fashion USA, Inc.*,
4 No. C20243386 (Ariz. Super. Ct. Oct. 11, 2024) (attached as Ex. A).

5 The Superior Court held that email pixel data about "when and how an
6 email was opened, how long it was opened, what device was used, the
7 associated IP address of the recipient, and whether it was forwarded—is not
8 a 'communication service record' or a type of 'access log' protected by
9 TUCSRA." *Id.* at 4.

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11 Dated: October 15, 2024

WILSON SONSINI GOODRICH &
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22 *Home Depot U.S.A., Inc.*
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CERTIFICATE OF SERVICE

I hereby certify that on this 15th day of October 2024, I electronically filed the foregoing using the CM/ECF system, which served notice to the following CM/ECF participants:

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